

BEHAVIORAL HEALTH CRISIS RESPONSE

MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

Legislative Vote: 15 voting for 0 voting against 4 absent

General Description:

This bill addresses receiving centers and mobile crisis outreach teams.

Highlighted Provisions:

This bill:

- ▶ provides for the award of grants for the development of mobile crisis outreach teams and rural behavioral health receiving centers; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-5-112.5, as enacted by Laws of Utah 2023, Chapter 270

26B-5-114, as last amended by Laws of Utah 2023, Chapter 270 and renumbered and amended by Laws of Utah 2023, Chapter 308



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-5-112.5** is amended to read:

26B-5-112.5. Mobile Crisis Outreach Team Grant Program.

(1) As used in this section, "commission" means the Behavioral Health Crisis Response Commission established in Section **63C-18-202**.

(2) The commission shall provide recommendations and the division shall award grants for the development of up to five mobile crisis outreach teams.

(3) (a) Subject to appropriations by the Legislature, and after consulting with the commission, in fiscal year 2025 the division shall award grants for the development of up to four mobile crisis outreach teams.

(b) The grants described in Subsection (3)(a) are in addition to the grants described in Subsection (2).

~~[(3)]~~ (4) A mobile crisis outreach team that is awarded a grant under ~~[Subsection (2)]~~ this section shall provide mental health crisis services 24 hours per day, seven days per week, and every day of the year.

~~[(4)]~~ (5) The division shall prioritize the award of a grant ~~[described in Subsection (2)]~~ under this section to entities based on:

(a) the outstanding need for crisis outreach services within the area the proposed mobile crisis outreach team will serve; and

(b) the capacity for implementation of the proposed mobile crisis outreach team in accordance with the division's established standards and requirements for mobile crisis outreach teams.

~~[(5)]~~ (6) (a) In consultation with the commission, the division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the application and award of ~~[the]~~ grants ~~[described in Subsection (2)]~~ awarded under this section.

(b) (i) The rules created under Subsection ~~[(5)(a)]~~ (6)(a) shall implement a funding structure for a mobile crisis outreach team developed using a grant awarded under this section.

(ii) The funding structure described in Subsection ~~[(5)(b)(i)]~~ (6)(b)(i) shall provide for tiers and phases of shared funding coverage between the state and counties.

Section 2. Section **26B-5-114** is amended to read:

59 **26B-5-114. Behavioral Health Receiving Center Grant Program.**

60 (1) As used in this section:

61 (a) "Behavioral health receiving center" means a 23-hour nonsecure program or facility
62 that is responsible for, and provides mental health crisis services to, an individual experiencing
63 a mental health crisis.64 (b) "Commission" means the Behavioral Health Crisis Response Commission
65 established in Section [63C-18-202](#).66 (c) "Project" means a behavioral health receiving center project described in
67 Subsection (2) ~~[or]~~, (3)(a), or (4)(a).68 (2) Before July 1, 2020, the division shall issue a request for proposals in accordance
69 with this section to award a grant to one or more counties of the first or second class, as
70 classified in Section [17-50-501](#), to develop and implement a behavioral health receiving center.71 (3) (a) Before July 1, 2023, the division shall issue a request for proposals in
72 accordance with this section to award a grant to one county of the third class, as classified in
73 Section [17-50-501](#), to develop and implement a behavioral health receiving center.74 (b) Subject to appropriations by the Legislature, the division shall award grants under
75 this Subsection (3) before December 31, 2023.76 ~~[(c) The commission shall provide recommendations to the division regarding the
77 development and implementation of a behavioral health receiving center.]~~78 (4) (a) Before July 1, 2024, the division shall issue a request for proposals in
79 accordance with this section to award grants to develop and implement up to two behavioral
80 health receiving centers in counties of the third, fourth, or fifth class, as classified in Section
81 [17-50-501](#).82 (b) Subject to appropriations by the Legislature, the division shall award grants under
83 this Subsection (4) before December 31, 2024.

84 (5) The purpose of a project is to:

85 (a) increase access to mental health crisis services for individuals in the state who are
86 experiencing a mental health crisis; and87 (b) reduce the number of individuals in the state who are incarcerated or in a hospital
88 emergency room while experiencing a mental health crisis.89 ~~[(5)]~~ (6) An application for a grant under this section shall:

90 (a) identify the population to which the behavioral health receiving center will provide
91 mental health crisis services;

92 (b) identify the type of mental health crisis services the behavioral health receiving
93 center will provide;

94 (c) explain how the population described in Subsection [~~(5)(a)~~] (6)(a) will benefit from
95 the provision of mental health crisis services;

96 (d) provide details regarding:

97 (i) how the proposed project plans to provide mental health crisis services;

98 (ii) how the proposed project will ensure that consideration is given to the capacity of
99 the behavioral health receiving center;

100 (iii) how the proposed project will ensure timely and effective provision of mental
101 health crisis services;

102 (iv) the cost of the proposed project;

103 (v) any existing or planned contracts or partnerships between the applicant and other
104 individuals or entities to develop and implement the proposed project;

105 (vi) any plan to use funding sources in addition to a grant under this section for the
106 proposed project;

107 (vii) the sustainability of the proposed project; and

108 (viii) the methods the proposed project will use to:

109 (A) protect the privacy of each individual who receives mental health crisis services
110 from the behavioral health receiving center;

111 (B) collect nonidentifying data relating to the proposed project; and

112 (C) provide transparency on the costs and operation of the proposed project; and

113 (e) provide other information requested by the division to ensure that the proposed
114 project satisfies the criteria described in Subsection [~~(7)~~] (8).

115 [~~(6)~~] (7) A recipient of a grant under this section shall enroll as a Medicaid provider
116 and meet minimum standards of care for behavioral health receiving centers established by the
117 division.

118 [~~(7)~~] (8) In evaluating an application for the grant, the division shall consider:

119 (a) the extent to which the proposed project will fulfill the purposes described in
120 Subsection [~~(4)~~] (5);

121 (b) the extent to which the population described in Subsection [~~(5)~~(a)] (6)(a) is likely to
122 benefit from the proposed project;

123 (c) the cost of the proposed project;

124 (d) the extent to which any existing or planned contracts or partnerships between the
125 applicant and other individuals or entities to develop and implement the project, or additional
126 funding sources available to the applicant for the proposed project, are likely to benefit the
127 proposed project; and

128 (e) the viability and innovation of the proposed project.

129 (9) The commission shall provide recommendations to the division regarding the
130 development and implementation of a behavioral health receiving center developed using a
131 grant awarded under this section.

132 [~~(8)~~] (10) Before June 30, 2023, the division shall report to the Health and Human
133 Services Interim Committee regarding:

134 (a) data gathered in relation to each project described in Subsection (2);

135 (b) knowledge gained relating to the provision of mental health crisis services in a
136 behavioral health receiving center;

137 (c) recommendations for the future use of mental health crisis services in behavioral
138 health receiving centers;

139 (d) obstacles encountered in the provision of mental health crisis services in a
140 behavioral health receiving center; and

141 (e) recommendations for appropriate Medicaid reimbursement for rural behavioral
142 health receiving centers.

143 [~~(9)~~] (11) (a) In consultation with the commission, the division shall make rules, in
144 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the
145 application and award of a grant under this section.

146 (b) (i) The rules created under Subsection [~~(9)~~(a)] (11)(a) shall:

147 (A) implement a funding structure for a behavioral health receiving center developed
148 using a grant awarded under this section;

149 (B) include implementation standards and minimum program requirements for a
150 behavioral health receiving center developed using a grant awarded under this section,
151 including minimum guidelines and standards of care, and minimum staffing requirements; and

152 (C) require a behavioral health receiving center developed using a grant awarded under
153 this section to operate 24 hours per day, seven days per week, and every day of the year.

154 (ii) The funding structure described in Subsection [~~(9)(b)(i)(A)~~] (11)(b)(i)(A) shall
155 provide for tiers and phases of shared funding coverage between the state and counties.

156 [~~(10)~~] (12) Before June 30, 2024, the division shall report to the Health and Human
157 Services Interim Committee regarding:

158 (a) grants awarded under Subsection (3)(a); and

159 (b) the details of each project described in Subsection (3)(a).

160 (13) Before June 30, 2025, the division shall report to the Health and Human Services
161 Interim Committee regarding:

162 (a) grants awarded under Subsection (4)(a); and

163 (b) the details of each project described in Subsection (4)(a).

164 [~~(11)~~] (14) Before June 30, 2026, the division shall provide a report to the Health and
165 Human Services Interim Committee that includes:

166 (a) data gathered in relation to each project described in [~~Subsection (3)(a)~~]
167 Subsections (3)(a) and (4)(a); and

168 (b) an update on the items described in Subsections [~~(8)(b)~~] (10)(b) through (d).

169 Section 3. **Effective date.**

170 This bill takes effect on May 1, 2024.